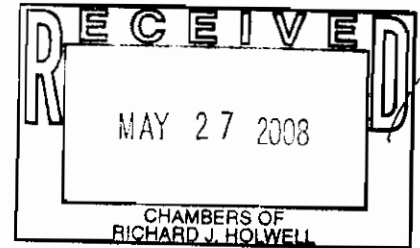




**THE CITY OF NEW YORK
LAW DEPARTMENT**

100 CHURCH STREET
NEW YORK, N.Y. 10007

MICHAEL A. CARDOZO
Corporation Counsel

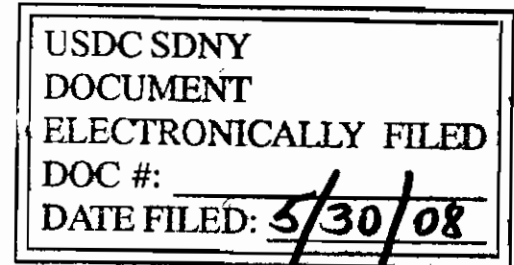


MEGHAN A. CAVALIERI
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May 23, 2008

BY HAND

Honorable Richard J. Holwell
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007



Re: Lauria, Ronald Jr. v. City of New York, et al., 07CV 06127 (RJH)

Dear Judge Holwell:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and attorney for defendant The City of New York. I write with the consent of plaintiff's counsel, David Gottlieb, Esq. and Mark Lubelsky, Esq., to respectfully request a thirty (30) day extension of time from May 28, 2008 to June 27, 2008 to complete fact discovery and a corresponding extension of the dates in the Court's scheduling Order to complete expert discovery from July 28, 2008 to August 27, 2008 and pretrial motions from August 28, 2008 to September 29, 2008, as well as an adjournment of the pretrial conference scheduled for June 27, 2008 at 10:30 a.m. to a later date convenient to the Court. There are several reasons for seeking the extension.

The complaint alleges, inter alia, that plaintiff Ronald Lauria, Jr. was falsely arrested/imprisoned, subjected to excessive force and deprived of medical attention.

The reason for this request for an extension of the discovery deadline is that there remain discovery issues outstanding. After numerous attempts, defendant only recently obtained plaintiff's medical records from Saint Vincent's Hospital. Upon receipt, defendant provided a copy of these medical records to plaintiff. Because these relevant documents were outstanding, defendant has been unable to proceed with plaintiff's deposition to date. Defendants submit that, in this regard, they require documentation concerning plaintiff's purported damages so that they can conduct a thorough and meaningful deposition of plaintiff in one session. While we have exerted our best efforts to obtain the documents throughout the discovery process, plaintiff's medical records were only recently provided by the hospital.

Moreover, the parties have been engaged in settlement discussions and defendants are hoping to continue to discuss the matter further. An enlargement of time will afford the parties the opportunity to further explore settlement without expending the costs to conduct deposition discovery. We assure Your Honor that we will endeavor to exhaust our negotiations and complete discovery in the time allowed.

I therefore respectfully request: 1) a thirty (30) day extension of time from May 30, 2008 to June 27, 2008, to complete discovery; 2) a corresponding extension of time to complete expert discovery from July 28, 2008 to August 27, 2008, 3) an extension of the deadline for pretrial motions from August 28, 2008 to September 29, 2008, and 4) an adjournment of the pretrial conference scheduled for June 27, 2008 at 10:30 a.m. to a ~~later date~~ ~~convenient to the Court~~.

Thank you for your consideration in this regard.

Respectfully submitted,

Meghan Cavalieri **SO ORDERED**
Meghan A. Cavalieri (MC 6758)
Assistant Corporation Counsel
Special Federal Litigation Division

cc: VIA FACSIMILE
Mark Lubelsky, Esq.
Mark Lubelsky & Associates
123 West 18th St.
New York, NY 10011
Attorneys for Plaintiff
Fax: (212) 255-5552

July 11, 2008
at 10:00 a.m.

No further

extensions.

USOJ

5/28/08